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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,489

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Masaki Shimada

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EXAMINER

FLOURNOY, HORACE L

ART UNIT

PAPER NUMBER

2189

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/734,489	SHIMADA ET AL.	
	Examiner	Art Unit	
	Horace L. Flournoy	2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office action has been issued in response to amendment filed 28 April 2006. Claims 1-18 are pending. Applicant's arguments have been carefully and respectfully considered, but they are not entirely persuasive, as will be discussed in more detail below, even in light of the instant amendments. Accordingly, this action has been made FINAL.

### ***Claim Rejections - 35 USC § 112***

With respect to claims 1, 5, and 12, the examiner the remarks on page 7 of the applicants response with regard to previous 35 USC § 112, second paragraph rejections of these claims. Accordingly the previous 35 USC § 112 rejections are herewith withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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**Claims 1-18** are rejected under 35 U.S.C. 102(b) as being anticipated by Harada et al. (U.S. Patent No. 6,486,890, hereafter referred to as Harada) with MPCD (Microsoft Computer Dictionary) offered as extrinsic evidence.

With respect to independent **claims 1 and 2**,

*"An information processing ~~having~~ comprising: a first insertion/removal portion capable of inserting/removing a first recording medium, the first recording medium being an optical information recording medium comprising a memory card; [Harada discloses this limitation, e.g. in FIG. 12, element 52. See all associated text within specification] and at least reading out electronic information from the inserted first recording medium, [Harada discloses this limitation, e.g. in FIG. 12, element 54. See all associated text within specification] a second insertion/removal portion capable of inserting/removing a second recording medium and reading out ~~and writing~~ electronic information from and writing electronic information in the inserted second recording medium, and the second recording medium being selected from the group consisting of a magneto-optical recording medium, a hard disk, and an optical information recording medium different from the first recording medium; [Harada discloses this limitation, e.g. in FIG. 12, element 522. See all associated text within specification] an operating member which is connected to the first and second insertion/removal portions so as to be able to exchange electronic information and starts an operation of reading out electronic information recorded on the first recording medium and writing the electronic information in the second recording*

*medium, [Harada discloses this limitation, e.g. in FIG. 12, element 519. See all associated text within specification] comprising:"*

The following limitations of **claim 1** are interpreted under 35 U.S.C. 112, 6<sup>th</sup> paragraph.

According to the applicant's specification in paragraph [0012], the Examiner notes that the means or system/structure ("**control unit**") for practice of the invention disclosed in the following limitation of Claim 1, is further taught in

**Harada as follows:**

*"...control means for controlling exchange of electronic information in the information processing apparatus; [Harada discloses this limitation, e.g. in FIG. 12, element 512. See all associated text within specification]*

According to the applicant's specification in paragraph [0012], the Examiner notes that the means or system/structure ("**expression unit**") for practice of the invention disclosed in the following limitation of Claim 1, is further taught in

**Harada as follows:**

*"...expression means for expressing an operation state of the information processing apparatus, [Harada discloses this limitation, e.g. in FIG. 12, element 54. See all associated text within specification] wherein when a state in which a recording medium is inserted into at least one of the first and second insertion/removal portions and electronic information can be read out or written is detected, said expression means performs an expression operation of*

*the state.” [Harada discloses this limitation, e.g. in FIG. 22. See all associated text within specification]*

With respect to **claims 3 and 4,**

*“An apparatus according to claim 1, wherein said expression means includes a display device, and the expression operation includes transfer of a visual message to a user.” [Harada discloses this limitation, e.g. in the abstract, lines 1-7.]*

With respect to **claims 5 and 6,**

*“An apparatus according to claim 3, wherein the display device includes a monitor which displays a message.” [Harada discloses this limitation, e.g. in FIG. 1, element 51. See all associated text within specification]*

With respect to **claims 7 and 8,**

*“An apparatus according to claim 3, wherein the display device includes an LED.”*  
**[The examiner notes that the limitations of this claim are notoriously well known to persons of ordinary skill in the art]**

With respect to **claims 9 and 10,**

*“An apparatus according to claim 1, wherein said expression means includes a sound generating device, and the expression operation includes transfer of an auditory message to a user.” [The examiner notes that the limitations of this claim are notoriously well known to persons of ordinary skill in the art]*

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With respect to **claims 11 and 12,**

*"An apparatus according to claim 9, wherein the sound generating device includes a loudspeaker."* **[The examiner notes that the limitations of this claim are notoriously well known to persons of ordinary skill in the art]**

With respect to **claims 13 and 14,**

*"An apparatus according to claim 1, wherein the operating member is operated to output to said control means a signal for starting the operation of reading out electronic information recorded on the first recording medium and writing the electronic information in the second recording medium, [Harada discloses this limitation, e.g. in column 24, lines 1-20] and said control means ignores the signal from the operating member until said control means detects that a recording medium is inserted into at least one of the first and second insertion/removal portions and electronic information can be read out or written."*  
**[Harada discloses this limitation, e.g. in column 24, lines 1-20]**

With respect to **claims 15 and 16,**

*"An apparatus according to claim 1, wherein the operating member is operated to output to said control means a signal for starting the operation of reading out electronic information recorded on the first recording medium and writing the electronic information in the second recording medium, [Harada discloses this limitation, e.g. in FIG. 1, element 51. See all associated text within specification] and said control means ignores the signal from the operating*

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*member after said control means detects that a recording medium is inserted into at least one of the first and second insertion/removal portions and electronic information cannot be read out or written."* **[Harada discloses this limitation, e.g. in FIG. 12. See all associated text within specification]**

With respect to **claims 17-18**,

**[The examiner notes that the limitations of this claim are notoriously well known to persons of ordinary skill in the art]**

#### **ACKNOWLEDGMENT OF ISSUES RAISED BY THE APPLICANT**

##### **Response to Amendment**

*Applicant's arguments with respect to claims 1 and 16 have been considered but are moot in view of the new ground(s) of rejection.*

#### **CONCLUSION**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Direction of Future Correspondences**

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Horace L. Flournoy whose telephone number is (571) 272-2705. The examiner can normally be reached on Monday through Friday 8:00 AM to 5:30 PM (ET).

**Important Note**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald G. Bragdon can be reached on (571) 272-4204. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 746-7239.

Information regarding the status of an Application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or PUBLIC PAIR. Status information for unpublished applications is available through Private Pair only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Horace L. Flournoy

Patent Examiner

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Reginald G. Bragdon

Reginald G. Bragdon

Supervisory Patent Examiner

Technology Center 2100